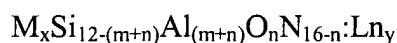


### In the Claims

Claims 1 - 16 (Cancelled)

17. (Previously Presented) An  $\alpha$ -sialon-based oxynitride phosphor powder characterized in that the content of  $\alpha$ -sialon represented by the general formula:



(wherein M is at least one metal selected from among Li, Ca, Mg, Y or lanthanide metals excluding La and Ce,

Ln is at least one lanthanide metal selected from among Ce, Pr and La or at least one lanthanide metal selected from among Eu, Dy, Er, Tb and Yb,

$$0.3 \leq x+y < 1.5,$$

$$0 < y < 0.7,$$

$$0.3 \leq m < 4.5,$$

$$0 < n < 2.25, \text{ and}$$

$m = ax + by$ , where a is the valence of the metal M and b is the valence of the lanthanide metal Ln,

wherein all or a portion of the metal M dissolved in the  $\alpha$ -sialon is replaced with the lanthanide metal Ln as the luminescence center),

is 75 wt% or greater as measured by powder X-ray diffraction when the lanthanide metal Ln is at least one lanthanide metal selected from among Ce, Pr and La or 90 wt% or greater as measured by powder X-ray diffraction when the lanthanide metal Ln is at least one lanthanide metal selected from among Eu, Dy, Er, Tb and Yb, with the remainder consisting of  $\beta$ -sialon and oxynitride glass

and in that the content of metal impurities other than the metal M, lanthanide metal Ln, silicon, IIIA elements (aluminum, gallium), oxygen and nitrogen, is no greater than 0.01 wt%.

18. (Previously Presented) The  $\alpha$ -sialon-based oxynitride phosphor powder according to claim 17, wherein the content of oxygen is 3.1 wt% to 5.1 wt%.

Claims 19 - 20(Cancelled)

21. (Previously Presented) The  $\alpha$ -sialon-based oxynitride phosphor powder according to claim 17, wherein Ln is at least one lanthanide metal selected from among Ce, Pr and La, and the  $\alpha$ -sialon content is 90 wt% or greater as measured by powder X-ray diffraction, with the remainder consisting of  $\beta$ -sialon and oxynitride glass.

22. (Previously Presented) The  $\alpha$ -sialon-based oxynitride phosphor powder according to claim 17, wherein Ln is at least one lanthanide metal selected from among Eu, Dy, Er, Tb and Yb, and the  $\alpha$ -sialon content is 95 wt% or greater as measured by powder X-ray diffraction, with the remainder consisting of  $\beta$ -sialon and oxynitride glass.

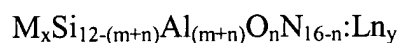
23. (Previously Presented) The  $\alpha$ -sialon-based oxynitride phosphor powder according to claim 17, wherein the content of metal impurities other than the metal M, lanthanide metal Ln, silicon, IIIA elements (aluminum, gallium), oxygen and nitrogen, is no greater than 0.001 wt%.

24. (Currently Amended) The  $\alpha$ -sialon-based oxynitride phosphor powder according to any one of claims ~~17—22~~17, 18, 21 or 22, wherein, in a particle distribution curve, the median size is no greater than 8  $\mu\text{m}$  and the degree of dispersion expressed by  $d_{90}/d_{10}$  defined by the 10% size ( $d_{10}$ ) and the 90% size ( $d_{90}$ ) is 7 or less.

25. (Currently Amended) The  $\alpha$ -sialon-based oxynitride phosphor powder according to any one of claims ~~17—22~~17, 18, 21 or 22, wherein, in a particle distribution curve, the median

size is no greater than 8  $\mu\text{m}$ , and the degree of dispersion expressed by  $d_{90}/d_{10}$  defined by the 10% size ( $d_{10}$ ) and the 90% size ( $d_{90}$ ) is 25  $\mu\text{m}$ .

26. (Previously Presented) A process for producing an  $\alpha$ -sialon-based oxynitride phosphor powder, wherein a mixed powder comprising a) a nitrogen-containing silane compound and/or amorphous silicon nitride powder having the oxygen content adjusted to 1 – 5 wt%, b) AlN and/or Al powder, c) an oxide of a metal M or a precursor substance which is converted to an oxide of a metal M upon thermal decomposition, and d) an oxide of a lanthanide metal Ln or a precursor substance which is converted to an oxide of a lanthanide metal Ln upon thermal decomposition, in a combination such that the metal impurity content is no greater than 0.01 wt% as calculated on the basis of the product being represented by the general formula:



(wherein M is at least one metal selected from among Li, Ca, Mg, Y or lanthanide metals excluding La and Ce, and

Ln is at least one lanthanide metal selected from among Ce, Pr and La or at least one lanthanide metal selected from among Eu, Dy, Er, Tb and Yb,

$$0.3 \leq x+y < 1.5,$$

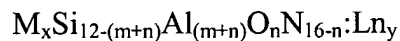
$$0 < y < 0.7,$$

$$0.3 \leq m < 4.5,$$

$$0 < n < 2.25, \text{ and}$$

$m = ax + by$ , where a is the valence of the metal M and b is the valence of the lanthanide metal Ln), is fired at 1400 - 2000°C in a nitrogen gas atmosphere or nitrogen-containing inert gas atmosphere.

27. (Previously Presented) A process for producing an  $\alpha$ -sialon-based oxynitride phosphor powder, wherein a mixture obtained by adding a pre-synthesized  $\alpha$ -sialon powder represented by the general formula:  $M_xSi_{12-(m+n)}Al_{(m+n)}O_nN_{16-n}$  (wherein the definitions in the formula are the same as below) or the general formula:  $M_xSi_{12-(m+n)}Al_{(m+n)}O_nN_{16-n}:Ln_y$  (wherein the definitions of M, Ln, x, y, m and n are the same as below) to a mixed powder comprising a) a nitrogen-containing silane compound and/or amorphous silicon nitride powder having the oxygen content adjusted to 1 – 5 wt%, b) AlN and/or Al powder, c) an oxide of a metal M or a precursor substance which is converted to an oxide of a metal M upon thermal decomposition, and d) an oxide of a lanthanide metal Ln or a precursor substance which is converted to an oxide of a lanthanide metal Ln upon thermal decomposition, in a combination such that the metal impurity content is no greater than 0.01 wt% as calculated on the basis of the product being represented by the general formula:



(wherein M is at least one metal selected from among Li, Ca, Mg, Y or lanthanide metals excluding La and Ce, and

Ln is at least one lanthanide metal selected from among Ce, Pr and La or at least one lanthanide metal selected from among Eu, Dy, Er, Tb and Yb,

$$0.3 \leq x+y < 1.5,$$

$$0 < y < 0.7,$$

$$0.3 \leq m < 4.5,$$

$$0 < n < 2.25, \text{ and}$$

$m = ax + by$ , where  $a$  is the valence of the metal  $M$  and  $b$  is the valence of the lanthanide metal  $Ln$ ), is fired at 1400 - 2000°C in a nitrogen gas atmosphere or nitrogen-containing inert gas atmosphere.

28. (Previously Presented) The process according to claim 26 or 27, wherein the specific surface area of the nitrogen-containing silane compound and/or amorphous silicon nitride powder is 80 – 600 m<sup>2</sup>/g.

29. (Previously Presented) The process according to claim 26 or 27, characterized in that the content of metal impurities other than Li, Ca, Mg, Al, Si, Ga, Y and lanthanide metals in the nitrogen-containing silane compound and/or amorphous silicon nitride powder and the AlN and/or Al powder is no greater than 0.01 wt%, and the content of carbon is no greater than 0.3 wt%.

30. (Previously Presented) The process according to claim 29, wherein the content of metal impurities other than Li, Ca, Mg, Al, Si, Ga, Y and lanthanide metals in the nitrogen-containing silane compound and/or amorphous silicon nitride powder and the AlN and/or Al powder is no greater than 0.001 wt%, and the content of carbon is no greater than 0.15 wt%.

31. (Previously Presented) The process according to claim 26 or 27, wherein the firing is carried out at 1400 - 1800°C in a nitrogen-containing inert gas atmosphere at a pressure of 1 atmosphere.

32. (Previously Presented) The process according to claim 26 or 27, characterized in that the firing is carried out in a temperature range of 1800 - 1920°C in a pressurized nitrogen gas atmosphere.

33. (Previously Presented) The process according to claim 32 characterized in that the firing is carried out in a temperature range of 1600 – 1900°C in a pressurized nitrogen gas atmosphere.

34. (Previously Presented) A light-emitting device comprising:  
a light-emitting diode, and  
a transparent medium comprising an oxynitride phosphor powder according to claim 17  
dispersed therein, and covering the surface of said light-emitting diode.

35. (Previously Presented) The light-emitting device according to claim 34 wherein said light-emitting diode is a blue light-emitting diode, and said luminescent device is a white light-emitting device.